

Presentment Date and Time: June 26, 2013 at 12:00 p.m. (ET)
Objection Deadline: June 25, 2013 at 4:00 p.m. (ET)

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Norman S. Rosenbaum
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James A. Newton

*Counsel for the Debtors and
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, et al.,

Debtors.

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Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

**NOTICE OF PRESENTMENT OF STIPULATION AND ORDER PURSUANT TO
11 U.S.C. § 362(d) MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)**

PLEASE TAKE NOTICE that the undersigned will present the attached proposed
*Stipulation and Order Pursuant to 11 U.S.C. § 362(d) Modifying the Automatic Stay Imposed by
11 U.S.C. § 362(a)* (the “**Stipulation and Order**”), to the Honorable Martin Glenn, United
States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New
York (the “**Bankruptcy Court**”), Alexander Hamilton Custom House, One Bowling Green,
New York, New York 10004, Room 501, for signature on **June 26, 2013 at 12:00 p.m.**
(Prevailing Eastern Time).

PLEASE TAKE FURTHER NOTICE that the Stipulation and Order is not being
submitted under the Procedures approved by the Bankruptcy Court in the *Order Pursuant to*

Bankruptcy Code Sections 105(a) and 362(d) for Entry of an Order Approving Procedures by Which Third Parties May Request and Obtain Stipulated Relief from the Automatic Stay to Commence or Continue Actions to Foreclose Senior Liens [Docket No. 1824] (“**Procedures Order**”) due to the omnibus nature of the relief agreed upon.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Stipulation and Order must be made in writing, conform to the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules for the Southern District of New York, and the Notice, Case Management, and Administrative Procedures approved by the Bankruptcy Court [Docket No. 141], be filed electronically by registered users of the Bankruptcy Court’s electronic case filing system, and be served, so as to be received no later than **June 25, 2013 at 4:00 p.m. (Prevailing Eastern Time)**, upon (a) counsel for the Debtors, Morrison & Foerster LLP, 1290 Avenue of the Americas, New York, NY 10104 (Attn: Norman S. Rosenbaum, Erica J. Richards, and James A. Newton); (b) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, NY 10004 (Attn: Tracy Hope Davis, Linda A. Riffkin and Brian S. Masumoto); (c) the Office of the United States Attorney General, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001 (Attn: U.S. Attorney General, Eric H. Holder, Jr.); (d) Office of the New York State Attorney General, The Capitol, Albany, NY 12224-0341 (Attn: Nancy Lord and Enid N. Stuart); (e) Office of the U.S. Attorney for the Southern District of New York, One St. Andrews Plaza, New York, NY 10007 (Attn: Joseph N. Cordaro); (f) counsel for Ally Financial Inc., Kirkland & Ellis LLP, 153 East 53rd Street, New York, NY 10022 (Attn: Richard M. Cieri); (g) counsel to Barclays Bank PLC, as administrative agent for the DIP lenders, Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036 (Attn: Ken Ziman & Jonathan H. Hofer); (h) counsel

for the committee of unsecured creditors, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, NY 10036 (Attn: Kenneth Eckstein & Greg Horowitz); (i) counsel for Ocwen Loan Servicing, LLC, Clifford Chance US LLP, 31 West 52nd Street, New York, NY 10019 (Attn: Jennifer C. DeMarco & Adam Lesman); (j) counsel for Berkshire Hathaway, Inc., Munger, Tolles & Olson LLP, 355 South Grand Avenue, Los Angeles, CA, 90071 (Attn: Seth Goldman & Thomas B. Walper); (k) Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346 (if by overnight mail, to 2970 Market Street, Mail Stop 5-Q30.133, Philadelphia, PA 19104-5016); (l) Securities and Exchange Commission, New York Regional Office, 3 World Financial Center, Suite 400, New York, NY 10281-1022 (Attn: George S. Canellos, Regional Director); and (m) counsel for the Requesting Party, Rosicki, Rosicki, Associates, P.C., 51 E. Bethpage Road, Plainview, NY 11803 (Attn: Eric S. Sheidlower).

PLEASE TAKE FURTHER NOTICE that, if no objections to the Stipulation and Order are timely filed, served and received in accordance with this Notice, the Court may enter the Stipulation and Order without further notice or hearing.

Dated: June 18, 2013
New York, New York

Respectfully submitted,

/s/ Norman S. Rosenbaum
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*Counsel for the Debtors and
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
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**STIPULATION AND ORDER PURSUANT TO 11 U.S.C. § 362(d)
MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)**

WHEREAS each of the parties listed on Exhibit 1 hereto (each a “**Requesting Party**” and collectively, the “**Requesting Parties**”) asserts that it holds a senior mortgage or security interest in the respective properties set forth on Exhibit 1 hereto (each, a “**Mortgaged Property**” and collectively the “**Mortgaged Properties**”);

WHEREAS the Requesting Parties have obtained a foreclosure or other title search in connection with the pending or prospective foreclosure of each of the respective Mortgaged Properties which indicates that the one of the above-captioned debtors (the “**Debtors**”) may hold a lien on the Mortgaged Property;

WHEREAS the Requesting Parties have requested (each a “**Request**,” and collectively, the “**Requests**”) that the Debtors consent to relief from the automatic stay, pursuant to section 362(d) of title 11 of the United States Code (the “**Bankruptcy Code**”), in order to permit the Requesting Parties to commence and/or complete the foreclosure of their respective interests in the Mortgaged Properties;

WHEREAS the Debtors, following a review of their records, have determined that to the best of their knowledge they no longer hold an interest in the Mortgaged Properties, although, in some instances, an assignment of the Debtors’ mortgage has not yet been filed;

WHEREAS the Debtors have agreed to consent to the Requests on the terms and conditions contained in this Stipulation and Order to permit the Requesting Parties to proceed with foreclosure sales without violating the automatic stay;

NOW, THEREFORE, it is hereby stipulated and agreed as between the Debtors and each Requesting Party, each solely in respect of the Mortgaged Properties for which such Requesting Party seeks relief from the automatic stay, through their undersigned counsel; and after due deliberation and sufficient cause appearing, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Requests are granted as set forth herein.
2. To the extent applicable, the automatic stay imposed in this case by section 362(a) of the Bankruptcy Code is modified under section 362(d) of the Bankruptcy Code to the extent necessary to allow each of the Requesting Parties to commence and/or complete the foreclosure of the mortgage and security interest it holds on the respective Mortgaged Property, as specified on **Exhibit 1** hereto.
3. Nothing in this Stipulation and Order shall be deemed to affect in any way the rights of any entity, including the Debtors, to contest the validity or relative priority of the applicable Requesting Party's mortgage and security interest in the respective Mortgaged Property relative to any other lien on such Mortgaged Property in any foreclosure proceeding.
4. Nothing in this Stipulation and Order shall be construed to provide for annulment of or any other retroactive relief from the automatic stay.

5. Requesting Party shall provide due notice to all parties required by applicable law to receive notice, as well as to the Debtors, Ocwen Loan Servicing, LLC¹, and Green Tree Servicing LLC², in connection with any action to be taken with respect to the respective Mortgaged Property, including, but not limited to, proceeding with a sale of such Mortgaged Property, in accordance with and to the extent the Requesting Party would be required by applicable state law to provide notice to the holder of any lien on such Mortgaged Property.

6. A Requesting Party and the Debtors may agree, in a signed writing, to a modification of this Stipulation and Order solely with respect to the application of this Stipulation and Order to such Requesting Party, and such signed writing shall not be deemed to affect in any manner the application of this Stipulation and Order to any other Requesting Party, provided, however, that except as specifically set forth in this paragraph, this Stipulation and Order may not be modified other than by further order of the Court.

7. This Stipulation and Order may be executed in multiple counterparts, each of which shall be deemed an original but all of which when taken together shall constitute one and the same instrument.

8. Pursuant to Bankruptcy Rule 4001(a)(3), the 14-day stay of this Stipulation and Order imposed by such Bankruptcy Rule is waived. Each Requesting Party is authorized to implement the provisions of this Stipulation and Order immediately upon its entry.

¹ Notices should be served on Ocwen Loan Servicing, LLC, at 1100 Virginia Drive, Fort Washington, PA 19034 (Attn: Peter J. Mulcahy, Esq.).

² Notices should be served on Green Tree Servicing LLC via email at: Foreclosure_Team@gt-cs.com or via mail addressed to: Green Tree Servicing LLC, Mailstop: R214, 1400 Turbine Drive, Rapid City, SD 57703.

9. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and interpretation of this Stipulation and Order.

<p>GMAC MORTGAGE, LLC</p> <p>By: <u>/s/ Norman S. Rosenbaum</u> Norman S. Rosenbaum Erica J. Richards James A. Newton MORRISON & FOERSTER LLP 1290 Avenue of the Americas New York, New York 10104 Telephone: (212) 468-8000 Facsimile: (212) 468-7900</p> <p><i>Counsel for Debtors and Debtors in Possession</i></p>	<p>EACH OF THE REQUESTING PARTIES SET FORTH ON <u>EXHIBIT 1</u>, HERETO, EACH SOLELY IN RESPECT OF THE MORTGAGED PROPERTY FOR WHICH IT SEEKS RELIEF FROM THE AUTOMATIC STAY</p> <p>By: <u>/s/ Eric S. Sheidlower</u> Eric S. Sheidlower ROSICKI, ROSICKI, ASSOCIATES, P.C. 51 E. Bethpage Road Plainview, New York 11803 Telephone: (516)741-2585 Facsimile: (516) 873-7243</p>
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APPROVED AND SO ORDERED

This ____ day of June, 2013, in New York, NY

**HONORABLE MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE**

EXHIBIT 1

	Requesting Party	Lienholder	Borrower Name(s)	Address
1	Bank of America, N.A.	Bank of America	Alberta, Angela R.	913 Vernon Street, Fernandina Beach, FL 32034
2	Bayview Loan Servicing, LLC	Bayview Loan Servicing, LLC	Ali, Razia	1416 Melody Lane, Carrollton, TX 75006
3	The Bank of New York Mellon FKA The Bank of New York, as Trustee from the Certificateholders of CWALT, Inc., Alternative Loan Trust 2007-19, Mortgage Pass-Through Certificates, Series 2007-19	Bank of America	Arellano, Adela F.	1785 Los Berros Road, Arroyo Grande, CA 93420-5957
4	Bank of America, N.A.	Bank of America	Betancourt, Lady	7461 NW 11 Place, Plantation, FL 33313
5	Bank of America, N.A.	Bank of America	Booher, Martin S.; Booher, Sandra L.	1765 Platinum Falls, Cascade Township, MI 49301
6	Ocwen Loan Servicing, LLC	Ocwen Loan Servicing, LLC (originally with Homeward)	Briscoe, Lucas; Robecker, Norma	137 Monte Brady Road, Montesano, WA 98563
7	Seterus, Inc as servicer for Federal National Mortgage Association	Seterus, Inc.	Calderon, Hector	233 Montana Avenue, Saint Cloud, FL 34769
8	Bank of America, N.A.	Bank of America	Calloway, James T.; Calloway, Barbara	4331 Lightwood Road, Deatsville, AL 36022
9	Nationstar Mortgage LLC	Nationstar Mortgage LLC	Castillo, Richard	372 Fairfield Drive, Sanford, FL 32771
10	Citimortgage, Inc.	CitiMortgage, Inc.	Chavez, Yolanda M.; Chavez, Joe G.	1932 J Cheshier Road, Fort Worth, TX 76247
11	Ocwen Loan Servicing, LLC	Ocwen Loan Servicing, LLC (originally with Homeward)	Cheriscat, Mariane	2603 Palmetto Ridge Cir, Apopka, FL 32712-0000

	Requesting Party	Lienholder	Borrower Name(s)	Address
12	Bank of America, N.A.	Bank of America	Crook, Thomas; Martin, Josette	50 Burning Bush Drive, Palm Coast, FL 32137
13	Seterus, Inc. as servicer for Federal National Mortgage Association	Seterus, Inc.	Delgado, Dinelia	617 Valle Vista Drive, Brandon, FL 33511
14	US Bank, N.A.	US Bank, N.A.	Dobson, George A.	262 Eagle Terrace Trail, Cross, SC 29436
15	The Bank of New York Mellon FKA The Bank of New York, as Trustee from the Certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2005-IM1	Bank of America	Dukes, Meltwaine D.	25163 Crysler, Taylor, MI 48180
16	Nationstar Mortgage LLC	Nationstar Mortgage LLC	Ellis, Joel; Ellis, Sharon	7153 Maysville Court, Wesley Chapel, FL 33544
17	Nationstar Mortgage LLC	Nationstar Mortgage LLC	Flinn, Jason M.	450 Layport Drive, Sebastian, FL 32958
18	Ocwen Loan Servicing, LLC	Ocwen Loan Servicing, LLC	Garner, Cesserna; Garner, Millard	1012 Brown Summit Avenue, Statesville, NC 28677
19	Citimortgage, Inc.	CitiMortgage, Inc.	Gelling, Timothy	38 Doolittle Road, Stamford, CT 06902
20	Seterus, Inc. as servicer for Federal National Mortgage Association	Seterus, Inc.	Green, Glynell	14373 Archdale Street, Detroit, MI 48227
21	Citimortgage, Inc.	CitiMortgage, Inc.	Grzelewski, Walter A.; Grzelewski, Katherine L.	5524 E 141st Street, Maple Heights, OH 44137
22	Bank of America, N.A.	Bank of America	Haddad, Sarah	1719 Loraine Avenue, Lansing, MI 48910
23	AMS Servicing, LLC as servicer for Castle Peak 2012-1 Loan Trust	AMS Servicing, LLC	Hariprasad, Guru	90-60 180 Street, Jamaica, NY 11432

	Requesting Party	Lienholder	Borrower Name(s)	Address
24	Seterus, Inc. as servicer for Federal National Mortgage Association	Seterus, Inc.	Lewis, Matthew; Lewis, Sharon	487 N University Drive Unit 2, Plantation, FL 33324
25	HSBC Bank USA, N.A.	HSBC	Linton, Robert	23139 Normandy, Eastpointe., MI 48021
26	Citimortgage, Inc.	CitiMortgage, Inc.	Mandarino, AI	481p Father Capodanno Blvd, Staten Island, NY 10305
27	Seterus, Inc. as servicer for Federal National Mortgage Association	Seterus, Inc.	Manser, Charles	21360 Mada Avenue, Southfield, MI 48075
28	Bank of America, N.A.	Bank of America	Marx, David T.	30903 Moroso Drive, Warren, MI 48088
29	Freedom Mortgage Corporation	LoanCare Servicing Center, Inc.	Matrone, Coleen Durbin; Matrone, David	1514 Reeths Court, Muskegon, MI 49445
30	Fidelity Bank, A Federal Chartered Savings Bank.	Fidelity Bank	Montgomery, Randall; Montgomery, Patricia	8186 Fenton Street Dearborn Heights, MI 48127-1324
31	Citimortgage, Inc.	CitiMortgage, Inc.	Moore, John	105 Bates Ln, Frenchtown Township, MI 48162
32	Bank of America, N.A.	Bank of America	Murray, Jo Anne	248 East Hickory, Battle Creek, MI 49017
33	Nationstar Mortgage LLC	Nationstar Mortgage LLC	Murray, Michael B.; Murray, Angela C.	225 Pine Knoll Drive, Trussville, AL 35173
34	Bayview Loan Servicing, LLC	Bayview Loan Servicing, LLC	Murray, Rose; Murray, John	82 Van Buren Avenue, West Hartford, CT 06107
35	EverBank	Everhome Mortgage Company	Murray, William T.	15316 Allen Road, Taylor, MI 48180

	Requesting Party	Lienholder	Borrower Name(s)	Address
36	US Bank, N.A.	US Bank, N.A.	Neumann, Gregory; Neumann, Gloria	6911 Long Lake Road, Alpena, MI 49707
37	Citimortgage, Inc.	CitiMortgage, Inc.	Newman, Ronald D.; Newman, Pamela M.	15919 64th Street East, Sumner, WA 98390
38	LPP Mortgage Ltd.	Dovenmuehle Mortgage, Inc.	Odigie, Daniel A.	41 Henry Albert Street, Milford, CT, 06460
39	Citimortgage, Inc.	CitiMortgage, Inc.	Orehek, Michael F.; Orehek, Diane D.	6510 Sabrosa Court East, Fort Worth, TX 76133
40	Citimortgage, Inc.	CitiMortgage, Inc.	Pickens, Rachel	6718 Silvermine Drive #1203, Austin TC 78736
41	Citimortgage, Inc.	CitiMortgage, Inc.	Prock, Robert G.; Carlson, Caroline J.	1401 100th Street, Tacoma, WA 98444
42	Freedom Mortgage Corporation	LoanCare Servicing Center, Inc.	Quist, Matthew R.; Quist, Gabriela	1800 W. Grange Avenue, Milwaukee. WI 53221
43	Nationstar Mortgage LLC	Nationstar Mortgage LLC	Redden, Michael A.	17819 NE 36th Way, Vancouver, WA 98682
44	Bayview Loan Servicing, LLC	Bayview Loan Servicing, LLC	Richmond, John	4645 Moore Street, Wayne, MI 48184
45	Citimortgage, Inc.	CitiMortgage, Inc.	Ritchie, Scott A.; Ritchie, Wendy A.	3695 Hyde Park Court, Fort Myers, FL 33908
46	The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Truste 2006-OA18, Mortgage Pass-Through Certificates, Series 2006-OA18	Bank of America	Ruiz, Eddie	8735 SW 122nd Street, Miami, FL 33176
47	Bank of America, N.A.	Bank of America	Rutkowski, Stanislaw	23-25 Regency Court, Southington, CT 06489-1748

	Requesting Party	Lienholder	Borrower Name(s)	Address
48	Bank of America, N.A.	Bank of America	Schuh, Kevin R.	Parcel 10 A/K/A 7944 Isles Road, Maple Valley Township, MI 48416
49	Wells Fargo Bank, N.A., as Trustee, in trust for registered Holders of First Franklin Mortgage Loan Trust 2006-FFH1, Asset- Backed Certificates, Series 2006- FFH1	Select Portfolio Servicing, Inc.	Sherman, Glenn	1047 Osceola Avenue, Jacksonville Beach, FL 32250- 3158
50	Citimortgage, Inc.	CitiMortgage, Inc.	Snowden, Charles S.; Snowden, Tracy L.	212 London Place, Port Orange, FL 32127
51	Bank of New York Mellon, f/k/a The Bank of New York, as trustee, on behalf of the holders of the Alternative Loan Trust 2005-59, Mortgage Pass-Through Certificates, Series 2005-59	Select Portfolio Servicing, Inc.	Taranto, Franklin	24 Neffs Corner Road, Higganum, CT 06441
52	Seterus, Inc. as servicer for Federal National Mortgage Association	Seterus, Inc.	Underhill, Joseph	3445 SE 4th Street, Okeechobee, FL 34974
53	Ocwen Loan Servicing, LLC	Ocwen Loan Servicing, LLC	Valdes, David	1401E 9 Ct, Hialeah, FL 33010
54	Bank of America, N.A.	Bank of America	Voorhies, Christopher L.	22055 Cunningham Avenue, Warren, MI 48091
55	Seterus, Inc. as servicer for Federal National Mortgage Association	Seterus, Inc.	White, Norah	28470 Rosewood Street, Inkster, MI 48141
56	Nationstar Mortgage LLC	Nationstar Mortgage LLC	York, Brian E.	864 111th Street, S. Tacoma, WA 98444